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BY CM/ECF

Hon. Louis L. Stanton
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Dresser-Rand Company v. Petróleos de Venezuela, S.A., et al.*,
No. 19 Civ. 2689 (S.D.N.Y.): Pending Letter Motion for Pre-Motion Conference

Dear Judge Stanton:

We represent Red Tree Investments, LLC. We write to respectfully withdraw Red Tree's January 25, 2021 letter motion seeking a pre-motion conference on Red Tree's motion to intervene in this case. *See* Dkt. 104.

Red Tree and the Defendants in this case are also parties to two actions pending in this Court before the Honorable Alison J. Nathan. *Red Tree Investments, LLC v. Petróleos de Venezuela, et al.*, Nos. 19 Civ. 2519 and 19 Civ. 2523. Red Tree sought to intervene in this action and modify the protective order so that the parties in *Red Tree* could access discovery taken in this action from non-party Deutsche Bank Trust Co. Americas ("DBTCA"). *See* Dkt. 104. Red Tree sought that relief because Defendants had earlier requested similar discovery from DBTCA in *Red Tree*. *See* No. 19 Civ. 2689, Dkt. 82 at 3; No. 19 Civ. 2519, Dkt. 86 at 3; No. 19 Civ. 2523, Dkt. 87 at 3.

Subsequently, Judge Nathan has allowed Defendants to pursue discovery against DBTCA in *Red Tree*. *See* 19 Civ. No. 2519, Dkt. 99; 19 Civ. No. 2523, Dkt. 100. Defendants have accordingly subpoenaed DBTCA and have informed Red Tree that they intend to seek discovery from that subpoena regardless of the outcome of Red Tree's motion to intervene in this case.

In light of Defendants' subpoena in the *Red Tree* cases, intervention in this case is no longer necessary. Accordingly, Red Tree respectfully withdraws its request for a pre-motion conference.

Respectfully submitted,

/s/ Steven F. Molo
Steven F. Molo

Counsel for Red Tree Investments, LLC

cc: All counsel of record in No. 19 Civ. 2689 via CM/ECF
Hon. Alison J. Nathan, U.S.D.J. (via e-mail only)